**Town Plan Review Committee Hearing Minutes**

**Regional Approval of Lyndon Town Plan**

**Wednesday, March 18, 5:00 pm**

**Lyndon Town Offices, Lyndon, VT**

From Town Plan Review Committee: Jeanne Desrochers, Coventry; Sten Lium, Concord; Mike Metcalf, Greensboro; Steve Pitkin, Albany

NVDA Staff: Alison Low

Representing Lyndon: Kaela Gray, Lyndon Planning Director; Dan Daley, Lyndon Planning Commission Chair; Andrea Day, Lyndon Planning Commission

Prior to the opening of the hearing, the committee voted to have Mike Metcalf act as Chair. The hearing opened at 5:02 p.m. The purpose of regional approval of local plans as per 24 V.S.A. §4350 was discussed. In accordance with statute, the regional planning commission shall approve a plan if it contains all the required elements in statute, is compatible with the goals of the regional plan and other plans, and if it is compatible with the statewide planning goals of §4302. In recent months, NVDA has been placing greater emphasis on statewide planning goals and will continue to do so in subsequent regional review processes. Staff completes a checklist in order to demonstrate minimal compliance but also uses this opportunity to provide constructive feedback to help guide planning commissions on subsequent updates to the plan. Staff reviews will be made available to planning commissions.

Dan Daley explained how the plan was put together. It was regarded as an update to the previous plan, with data updates and the now-required flood resilience element. Planning commissioners reviewed the plan on a section-by-section basis and also reordered information and addressed a perceived bias in previous plan language.

How were residents involved? Other than through the required hearings, not much. Members of the general public had plenty of opportunities to get involved, although most who did get involved did so because they mistook the process for regulatory implementation. (Residents are particularly concerned about changes to flood regulations.)

How is the plan used? The plan is used regularly by the planning commission when updating the zoning bylaws. (The planning commission does not do any development review because the town has a separate Development Review Board.)

Board members expressed surprise that a town the size of Lyndon did not have a capital budget and program. Lyndon representatives confirmed that this was the case, and the lack of one is largely a testament to the low turnover of Town staff. Nevertheless board members discussed the benefits of having one – particularly for preventing spikes in taxes due to unanticipated expenses. Lyndon representatives felt that the budget and program was probably the responsibility of the selectboard. NVDA staff clarified that the planning commission could play a vital role in the process and that training was available.

Board members noted that the Lyndon plan was one of the best plans they had read. It had strong recommendations, and it included meaningful discussion about the aesthetic of the community – something that is not typically found in plans. The housing section was also seen as “excellent,” and it was noted that there was a lot of affordable housing in Lyndon. Board members wanted to know if accessory apartments were actively encouraged through incentives. Lyndon representatives said no, but they were considered a permitted use of a single-family dwelling. (Note: this is codified in statute.)

Other areas particularly appreciated by the board – sections on “Issues and Concerns” interpretative and analytical use of data, section on Special Populations.

Is there a design control district? No.

Is there a local housing person who keeps track of housing options? No. This was suggested as a possibility for Lyndon. It was done in Hinesburg. Also the person who tracked housing was able to note violations and refer to the appropriate state enforcement officials.

Walkability was noted as a concern. Board members pointed out that “Slow it down” in Newport (connected with AARP) was a recent success.

Comments from staff review were made available to planning commissioners. Two items of interest: 1) Regarding the statewide planning goal: “To provide for the wise and efficient use of Vermont's natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area” The plan does discuss the significance of earth extraction to the local economy. Subsequent updates to the plan should explain how this is provided for in order to ensure that the activities are carried out wisely and efficiently. 2) Regarding flood resilience goal “The protection and restoration of **floodplains** and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.” Sutton’s plan recommends joining the NFIP AND adopting a river corridor layer. The planning commission has also identified upland areas that drain into the “flashy” Calendar Brook as a problem, especially for downstream communities like Lyndon. Now that the town is working on a Local Hazard Mitigation Plan, there is an opportunity for a productive dialog with Sutton. Burke is also contemplating more restrictive regulations.

A motion was made to recommend approval of the Lyndon town plan from the full board of NVDA. The motion was second. The motion passed unanimously.

The hearing adjourned at 5:37 p.m.

Respectfully submitted

Alison Low